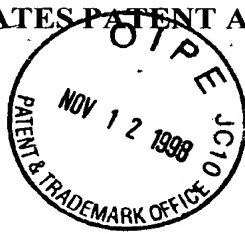


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen B. Hoy
Serial No.: 08/817,278
Filed: April 10, 1997
For: EDIBLE ANIMAL GREETING CARDS



7
1-22-99
Qu

**DECLARATION OF FACTS IN SUPPORT OF
PETITION TO MAKE SPECIAL BECAUSE
OF ACTUAL INFRINGEMENT (MPEP §708.02)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Stephen B. Hoy, whose address is 26575 Oakland Street, Roseville, Michigan 48066, am the inventor of the above-identified application and hereby declare the following:

1. There is an actual infringement of this invention. Attached hereto as Exhibit A is a photocopy of a product constructed according to the claims of my invention. As you can see, the product includes an edible greeting card suitable for ingestion by a dog in the form of a substantially rigid edible rawhide panel. The rawhide panel has a front surface and a back surface. On the front surface appears a message in the form of a Christmas wreath with a dog's head and paws protruding from the center of the wreath. The card also bears the words "Seasons Greetings." According to the packaging material, the message is formed of "edible vegetable ink."

Attached hereto as Exhibit B is a photocopy of a second product constructed according to the claims of my invention. As you can see, the product includes an edible greeting card suitable for ingestion by a dog which is formed of rawhide. The panel includes front and back surfaces. A message is disposed on the front surface in the form of a cartoon dog holding a bunch of balloons and the words "You're G-R-R-R-R-E-A-T!!" According to information

printed on the product packaging, the message is formed of "safe non-toxic brown food coloring."

2. The products which I allege infringe this invention were first discovered to exist in November of 1997.

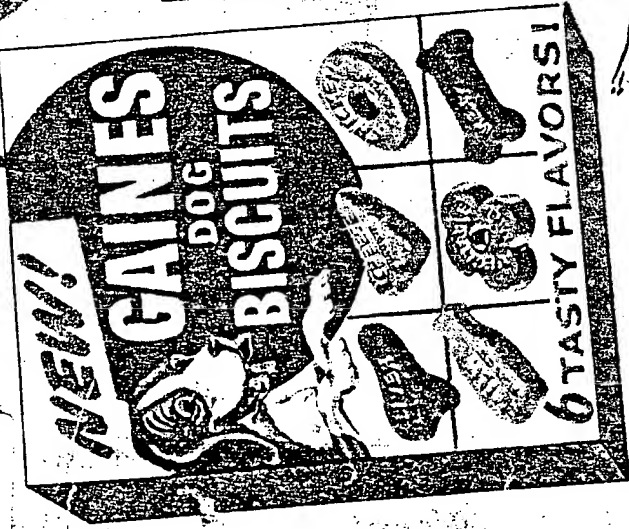
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Stephen B. Hoy
Stephen B. Hoy

Dated: 11/11/98

JMR/gs

Exhibit B



Best news for dogs — since cats!

NEW GAINES DOG BISCUITS

6 tasty flavors! **6** playful shapes! The variety dogs beg for — with the nourishment dogs need — **all in one box!**

DESIGN BY



Every biscuit a favorite taste treat. Just the right size for easiest feeding... just the right hardness, too, for the chewing that helps keep your dog's teeth and gums healthy. For snacks, rewards, or regular feeding, they can't be beat. Yes, and they're tops in nourishment. Remember...

GAINES
NOURISHES EVERY INCH OF YOUR DOG!

Hitch your dogs Waggin' to New Gaines Dog Biscuits!

THE SUNDAY STAR MAGAZINE, WASHINGTON, D. C., DECEMBER 4, 1935

© G. F. C. A Product of General Foods Corp.

426/104 60

B2

P-1



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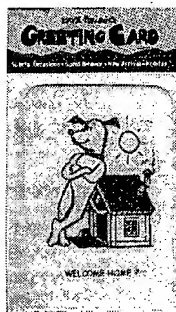
Pet Greetings 100% Edible Greeting Cards For Pets

As seen on the Fox News Pet Channel and heard on KABC-AM radio's Warren Eckstein's "The Pet Show", these 100% edible rawhide cards for dogs are ideal for anyone who wants to show their pet or a friend's pet how much they care in a unique and innovative way!

Each card also comes with its own colorful mailing envelope.

For just \$2.00 a card, plus shipping and handling, you can choose from one of five different designs. Just click on the buttons below to get additional information about each card and to place an order.

Order now and watch your pets "woof" them down!!!



400 "Welcome Home" Edible Greeting Card

Great for new pets, pets home from surgery, and welcoming pets back from boarding or grooming!

\$2.00 Order



500 "Good Health" Edible Greeting Card

Ideal for Veterinarians to give to valued patients and for dogs who may be under the weather or recovering from surgery. Unique check-up reminders!

\$2.00 Order



200 "Happy Bark-Day!!" Edible Greeting Card

Ideal for dogs celebrating Birthdays!

\$2.00 Order



\$2.00 Order



300 Season's G-r-r-r-e-e-t-i-n-g-s!!! Edible Greeting Card

Perfect holiday card for the pet that has been naughty or nice! Excellent stocking stuffer!

\$2.00 Order

Pet Greetings. 2659 Townsgate Road, Suite 101, Westlake Village, CA 91361. 805-374-1201. Fax 805-374-1204

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The BML Great Boxer Crafts & Collectibles Auction

Page 2



Item 14, 15 & 16 - - The Boxer: Friend of All Seasons - Pet Crest. Proudly display your Boxer's Pet Crest and find out the meaning of the symbolism depicted. For instance . . . What is the significance of the two flags? What is the name of the castle? How far back was the ancestor of the Boxer used as a war dog? A history and an explanation of the Coat of Arms comes with each product. Donated by Mary and Lucien Guilbert of **Pet Crest** This lovely work of art is double matted and signed by the artist, pictured below.

14, 15 & 16 Minimum Bid: \$12.00

Item 14 Current Bid: \$30.00
Sandy Turnidge

Item 15 Current Bid: \$30.00
Bill McCune

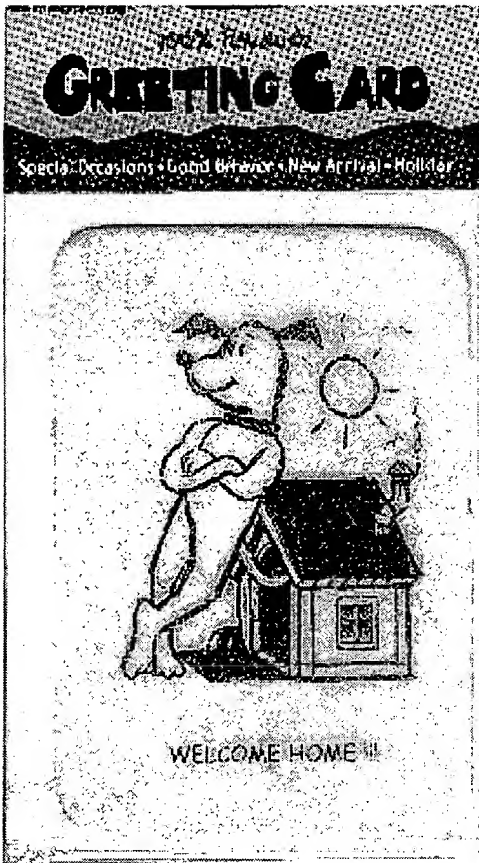
Item 16 Current Bid: \$35.00 Susan Firth



Your Pet Crests Artist, Lucien Guilbert, just celebrated his 80th Birthday!

Visit his [website](#) and see all of the crests. Send an email and get a FREE Boxer notecard.

B2 p. 4



Item 17, 18, 19 & 20 - Welcome Home!!! Edible Greeting Cards for Pets. 100% Rawhide. Why send a card to the owner when it is the pet you are sending the message to? Edible Greeting Cards are donated by Pet Greetings.

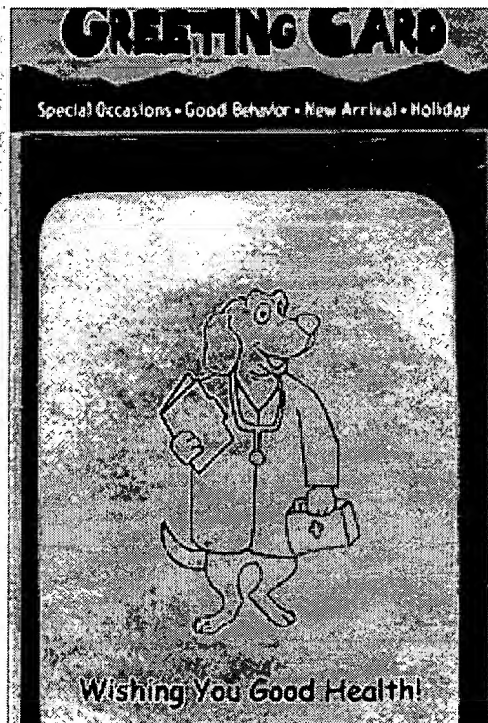
17, 18, 19 & 20 Minimum Bid: \$2.00

Item 17 Current Bid: \$2.00 Sheryl Donner

Item 18 Current Bid: \$2.00 Sheryl Donner

Item 19 Current Bid: \$2.00 Sidney Osborn

Item 20 Current Bid: \$2.00 Sidney Osborn



Item 21 - Wishing You Good Health! Edible Greeting Cards for Pets. 100% Rawhide. Why send a card to the owner when it is the pet you are sending the message to? Edible Greeting Cards are donated by Pet Greetings.

Item 21 Minimum Bid: \$2.00

Item 21 Current Bid: \$2.00 Sidney Osborn

B2 p. 5



Item
22,
23,
24,
25,
26, 27
& 28 -
You're
G-R-R-R

Edible
Greeting
Cards
for
Pets.
100%
Rawhide.
Why
send a
card
to the
owner
when
it is
the
pet
you

are sending the message to? Edible Greeting Cards are donated by Pet Greetings.

Items 22 - 28 Minimum Bid: \$2.00

Item 22 Current Bid: \$2.00 Suzanne McFayden

Item 23 Current Bid: \$2.00 Suzanne McFayden

Item 24 Current Bid: \$2.00 Ann Gilbert

Item 25 Current Bid: \$2.00 Ann Gilbert

Item 26 Current Bid: \$2.00 Ann Gilbert

Item 27 Current Bid: \$2.00 Maryann Watkins

Item 28 Current Bid: \$2.00 Sidney Osborn

Cool Links

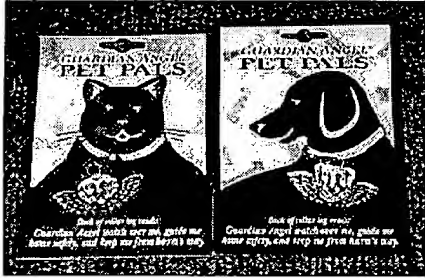


EVERYTHING ANIMALS GIFT GALLERY



www.everythinganimals.com

Everything Animals Gift gallery is a unique cybershop selling a variety of unusual animal-themed items. The shop carries everything from purses which look like chickens or frogs to whimsical jewelry, stuffed animals, interactive learning kits for children, three-dimensional magnets, embroidered shirts, capricious puppets, t-shirts that change color in the sun, and many other items.



Everything Animals is also dedicated to helping all animals and their cause. The sale of certain items benefits various non-profit organizations devoted to the preservation and humane care of domestic and wild animals. Periodically, we will feature on our website various animals available for adoption from humane organizations and related groups. We also have a chat room, a bulletin board where you can post any animal-related questions you may have, a calendar of animal-related events and an informative animal-related links page. Thank you for your consideration and feel free to contact us if you have any questions or suggestions.

Everything Animals Gift Gallery
7388 Glengrove Drive
Bloomfield Hills, MI 48301
Phone: (248) 855-4185 Fax: (248) 855-4158
www.everythinganimals.com

DOLPHIN WHALE & SHARK GIFT STORE



Many ASPCA supporters have an interest in marine life. The Dolphin Whale & Shark Gift Store Web site benefits The ASPCA. Ten percent of each purchase is given to The ASPCA. To make a voluntary contribution to The ASPCA, please indicate your donation upon purchase. The full donation amount will go to The ASPCA. Please note: the Dolphin Whale & Shark Gift Store has complete responsibility for product selection and offerings.



Pet Greetings presents 100 percent edible greeting cards for dogs! For just \$2.00, you can make your own dog happy or surprise a friend's pet with one of five different 100 percent edible rawhide designs. Each card comes with its own colorful mailing envelope. Watch your pets woof them down!

You can order cards through our Web site at www.petgreetings.com.

\$.50 per card goes directly to The ASPCA.

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Quality Flat Tires



All pet owners want their pets to be comfortable. **Quality Flat Tires** (253) 854-7911 makes custom-made pet mats out of recycled tires for the comfort of your pet. Pet mats can be used in the back of your car or truck, in a doghouse, kennel, front or back door or any bedding area. Pet mats will insulate your pet from cold and will keep him dry. Pet mats will keep your pet off the ground and, he won't chew them. (We know, we tested them and they taste terrible!) **Quality Flat Tires** will donate 10% of each purchase to the ASPCA. Please note: **Quality Flat Tires** has complete responsibility for product selection and offerings. Pet mats are guaranteed for 5 years.

www.PETDRAWINGS.COM



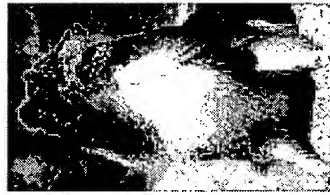
Petdrawings presents dog portraits of the American Kennel Club's top fifty breeds. The 11" x 14", portraits are drawn in pencil on high quality, acid free, three ply strathmore paper for just \$19.00 each.

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The Hot Dog Files: The Saddlebag That Wouldn't Sit Still (Cont.)

The bay is 40 miles away, and it was already getting late in the afternoon. Plus the weather was turning chilly. I voted for putting it off until tomorrow, but George wanted to get it done, so we drove down to the bay, squinting into the setting sun. This was turning into a long day.

The good news was George stopped at McDonald's for supper and he even shared a bit of the second quarter-pounder, something he doesn't often do. So maybe it was worth the overtime.

The daughter's husband answered the door when we knocked. "She's out walking the dog," he told us, "but you can find her if you'll drive that way." He pointed down the road.

We did as he suggested, and finally overtook a woman leading a border collie on a leash. As we stopped and approached, she flashed a Lumatec® FlashCard™ Flashlight, the world's first flat flashlight, at us. These innovative lights come decorated in a variety of dog images. Lumatec® Industries Inc., 500 Shady Lane, Austin, TX 78702. (512) 389-3399; fax (512) 389-0808.

She checked the I.D. George flashed at her, then introduced herself and her dog. The collie was dressed for the weather in a sweater and Muttluks boots for dogs. Muttluks dog boots are durable, warm and water-resistant. Perfect for this cool night and protecting a dog's paw against the hazards of the streets as well. Muttluks, 507 King St. East, Suite 204, Toronto, Ontario, M5A 1M3, Canada. (416) 955-0311; fax (416) 955-0203.

The dog also wore the elusive pack. The woman didn't want to return it, as she'd found it both attractive and useful, but we made the incentive so irresistible that she eventually took it off the dog, emptied a few items out of it and handed it to George.

We checked the bag over carefully before we brought it back to the client, but we found no evidence of anything unusual about it or in it.

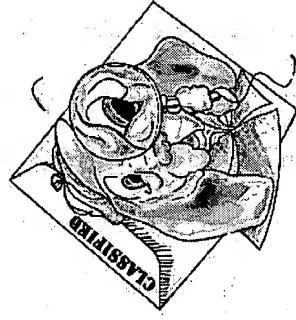
The client was wild with gratitude when we showed up, wrote us a check right away and thanked us profusely.

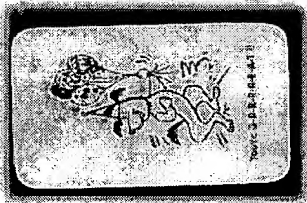
"Won't you tell us why you want it back so badly?" George asked.

The man sighed and blushed. "My wife promised it to her sister-in-law. The color matches her dog's leash and sweater."

"You spent all that money to get it back for your sister-in-law?" George asked.

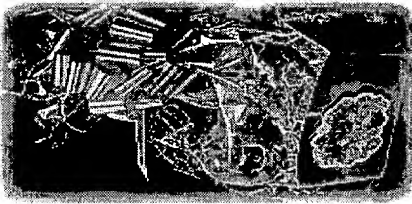
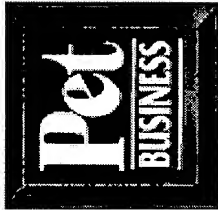
"If you met my sister-in-law, you'd understand," he said. "No price is too much to keep her off my case."





rawhide greeting cards come in five different designs. Pet Greetings, 2659 Townsgate Road, Suite 101, Westlake Village, CA 91361. (805) 374-1201; fax (805) 374-1204. Overtime has its virtues.

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Last Modified: February 16, 1999

B2 p.10

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PARADE HOMES

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The Learning Nest

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Posted at 5:25 p.m. EDT Tuesday, September 22, 1998.

It's a dog's life

Canine caterers are barking up the right tree

By JANE SNOW *Knight Ridder*

Nice doggy. Have a biscuit. Or perhaps a biscotti, a faux burger or a fancy doggy cake, complete with bowser's name spelled in yummy icing.

Life isn't exactly ruff for pooches these days, especially in cities that have gourmet dog bakeries. The chic spots sell such fresh-baked treats as molasses snaps, burritos, pizzas and bagels. One store, Pavlov's Bark Market in Hudson, Ohio, caters parties in a special fenced area of the store with a water tap, loaner bowls and a real fire hydrant.

"We are definitely inviting dogs," says owner Marc Carroll. "We really want them in here."

At Barbara's Canine Catering and Canine Cafe in Pineville, owner Barbara Burg frequently holds special events for dogs and their owners, everything from dress-alike parties to the upcoming second annual Halloween party, with prizes for costumes.

And Saturday mornings are popular, she says. Owners bring their dogs for Mutt Muffins and Breakfast Power Bars.

Carroll and partner Dave Shand, who opened Pavlov's this summer, are betting humans will happily shell out \$1.50 for a doggie biscotti, \$5.50 a pound for molasses snaps and garlic drops, and up to \$19 for a carrot cake to mark a pet's birthday or obedience school graduation.

They may be right. Dog owners spend \$9 billion annually on pet food, compared with \$6 billion for baby food, according to Forbes magazine.

Gourmet pet food is a relatively new wrinkle, but one that has taken off. Einstein Bros Bagels now offers dog biscuits in the shape of bagels, and even at 95 cents each, they're selling well, according to company officials.

"They're very popular," said Tammie McCagg at the Einstein Bros on South Boulevard in Charlotte. "They're made of carob, so they taste like chocolate."

But perhaps the best indication that gourmet is going to the dogs is the Three Dog Bakery, based in Kansas City, Mo. Dan Dye and Mark Beckloff started the dog bakery nine years ago with a small loan from their retirement funds, and the business now boasts annual sales of \$8 million. Three Dog products are available at some pet stores, including PetSmart in Charlotte.

"There are a lot of people who take care of their pets," Carroll says. "There's a new market for this kind of stuff."

Barbara Burg started her business in 1994 after her own dog, T.J., developed allergies and wasn't able to eat commercial dog treats. Her treats, including biscuits, bits and cookies, are all-natural and chemical- and preservative-free. She uses carob for "chocolate" (chocolate can be dangerous for dogs) and nontoxic petal dust for coloring.

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And she now has customers wagging their tails all over the country. Harris Teeter, Reid's and Talley's stock her dog treats, but she has expanded to national distribution through the all-natural supermarket chains Whole Foods and Wild Oats. And her bakery's Web site, www.k9treat.com, brings in orders from all over.

"It's not only for people in an income bracket that's . . ." Burg waves her hand above her head. "They come in BMWs, they come in pickup trucks. They even come on Harleys." One couple touring the country by motorcycle doubled back and stopped -- with their dog -- when they passed Burg's shop.

Developing doggie treats takes more than baking experience. Burg developed her recipes with advice from veterinarians and the N.C. State University science department.

Burg makes Doggie Daiquiris -- nonalcoholic and nondairy, of course -- as well as biscuits and bits in every flavor from garlic herb to pumpkin cinnamon. She makes colorful petit fours and puppy tarts, and cakes in carrot, carob chip, apple oatmeal and banana flavors with yogurt-honey frosting.

Carroll of Pavlov's read books about canine nutrition, talked to veterinarians and experimented with his own dogs to come up with flavorful, nutritious recipes. Most of the treats are made with whole-wheat flour, wheat germ, peanut butter and eggs, and sweetened with honey or molasses. The carrot cake contains grated carrots and peanuts. The crunchy pizzas, tacos and burritos feature the biscuit base topped with tomato sauce and parmesan cheese. No salt or preservatives are added.

Veterinarian Mark Carlson of the Stow-Kent Animal Clinic in Stow, Ohio, sees nothing wrong with feeding dogs an occasional treat made from such ingredients.

"I wouldn't have a problem at all with people using those as treats," Carlson says.

Giving a dog treats promotes the bond between the animal and the owner, he says, and, given in moderation, will cause the animal no harm.

"In feeding a quality commercial diet, you can supplement up to 15 percent of the total daily ration with (treats) and you won't upset the nutritional balance," Carlson says.

However, Carlson says, dog owners should keep an eye on the pet's weight to make sure they aren't overdoing it.

That may be difficult with the treats sold in gourmet dog bakeries. The items look good enough for humans to eat. And some do, says Burg. She uses human-grade ingredients and some of her customers buy treats to take home for themselves. (To meet regulations that prohibit animals from places where food is served, only dogs are allowed to chow down at Barbara's Canine Cafe.)

The upscale items extend beyond the eats. Pets can put on the dog with such accessories as rawhide greeting cards printed with soy ink, designer dog dishes hand-painted by local artists, and collars in faux fur prints. There are even Harley-Davidson and Planet Doggywood T-shirts for the pooches.

It helps to have a sense of humor in the doggie treat business. Shand and Carroll call their products by such whimsical names as "Count Dogulas Garlic Drops" and "Fat Marc's Belly Draggers."

"We're having a lot of fun with this concept," Carroll says. "It's great because we're both dog people."

And on a recent busy day in Burg's shop, she was getting ready to host two visiting Russian dogs from the Royal Hanneford Circus. Burg had dog-size cowboy hats and a cake ready to go: "Let's Paw-ty."

Barbara's Canine Cafe, 315 Main St., in Pineville, is open 10 a.m.-6 p.m. weekdays, 10 a.m.-5 p.m. Saturdays. For details, call LUV-DOGS (588-3647) or visit the Web site, www.k9treat.com, or e-mail Burg at barbara@k9treat.com. To reach the shop from Interstate 485, take N.C. 521 to Main Street and turn right. The shop is across from the Pineville Police Station.

EL237326712US

Attorney Docket HOY-00102/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen B. Hoy
Serial No.: 08/817,278
Filed: April 10, 1997
For: EDIBLE ANIMAL GREETING CARDS

OFFICIAL**PETITION TO MAKE SPECIAL BECAUSE OF
ACTUAL INFRINGEMENT (37 C.F.R. §1.102(d))**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant hereby petitions to make the above-identified application special because of actual infringement.

Accompanying this petition is a Preliminary Amendment, Declaration of Facts in Support of Petition to Make Special Because of Actual Infringement, a Declaration of Attorney Allen M. Krass in Support of Petition to Make Special Because of Actual Infringement, and a check in the amount of \$130.00 to cover the required fee.

Please charge any additional fees to Deposit Account No. 07-1180. A duplicate of this petition is attached for that purpose.

Respectfully submitted,


Allen M. Krass, Reg. No. 18,277
Attorney for Applicant
Gifford, Krass, Groh, Sprinkle,
Patmore, Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

JMR/gs

November 12, 1998

Attorney Docket HOY-00102/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen B. Hoy
Serial No.: 08/817,278
Filed: April 10, 1997
For: EDIBLE ANIMAL GREETING CARDS

**DECLARATION OF FACTS IN SUPPORT OF
PETITION TO MAKE SPECIAL BECAUSE
OF ACTUAL INFRINGEMENT (MPEP §708.02)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Stephen B. Hoy, whose address is 26575 Oakland Street, Roseville, Michigan 48066, am the inventor of the above-identified application and hereby declare the following:

1. There is an actual infringement of this invention. Attached hereto as Exhibit A is a photocopy of a product constructed according to the claims of my invention. As you can see, the product includes an edible greeting card suitable for ingestion by a dog in the form of a substantially rigid edible rawhide panel. The rawhide panel has a front surface and a back surface. On the front surface appears a message in the form of a Christmas wreath with a dog's head and paws protruding from the center of the wreath. The card also bears the words "Seasons Greetings." According to the packaging material, the message is formed of "edible vegetable ink."

Attached hereto as Exhibit B is a photocopy of a second product constructed according to the claims of my invention. As you can see, the product includes an edible greeting card suitable for ingestion by a dog which is formed of rawhide. The panel includes front and back surfaces. A message is disposed on the front surface in the form of a cartoon dog holding a bunch of balloons and the words "You're G-R-R-R-R-E-A-T!!" According to information

USSN 08/817,278 - Page 2

printed on the product packaging, the message is formed of "safe non-toxic brown food coloring."

2. The products which I allege infringe this invention were first discovered to exist in November of 1997.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Stephen B. Hoy
Stephen B. Hoy

Dated: 11/11/98

JMR/gs

Attorney Docket HOY-00102/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen B. Hoy
Serial No.: 08/817,278
Filed: April 10, 1997
For: EDIBLE ANIMAL GREETING CARDS

**DECLARATION BY ATTORNEY IN SUPPORT OF PETITION TO
MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT (MPEP §708.02)**

I, Allen M. Krass (Reg. No. 18,277), whose office is located at 280 N. Old Woodward, Suite 400, Birmingham, Michigan 48009, and having a telephone number of (248) 647-6000, am the attorney for the Applicant in this case and make the following declarations:

1. I have made a rigid comparison of the alleged infringing products referred to in the accompanying declaration of Stephen B. Hoy with the claims of this application. As can be seen by comparing Exhibits A and B, the infringing products distributed by Pet Perks and Sergeant's, respectively, with the claims of the subject application, it is clear that these products are covered by the claims of the present application.

Specifically, both the infringing products infringe claims 1, 2, and 22 of the claims as amended in the accompanying Preliminary Amendment. Claim 1 recites an edible greeting card suitable for ingestion by a pet. Both of these products are edible greeting cards which may be eaten by a pet, and in the case of both products, they are specifically intended to be eaten by a dog.

Claim 1 as amended further requires a substantially edible panel suitable for ingestion by a pet, this panel having a front surface and a back surface. As can readily be seen, both products include a substantially rigid edible panel having both a front surface and a back surface.

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Claim 1 further requires at least one message region disposed on either the front or back surface of the edible panel. In the case of both products, a message region is formed on the front surface of the respective rigid, edible panels.

Claim 1 further requires at least one message formed of a material suitable for ingestion by the pet and disposed in the message region. In the case of the product shown in Exhibit A, the message is in the form of the words "Seasons Greetings" superimposed upon a graphic image of a dog and a Christmas wreath. This message appears in the message region of the edible panel. Furthermore, since the message is formed of edible vegetable ink, the message is formed of a material suitable for ingestion by a pet.

In the case of product B, the message is in the form of the words "You're G-R-R-R-E-A-T!!" which appears under a cartoon image of a dog holding a bunch of balloons. The message is disposed on the message region of the front surface of the edible panel and, according to the package information, is formed of a "safe non-toxic brown food coloring." Thus, the message is formed of a material suitable for ingestion by a pet.

Claim 2 of the Applicant's invention requires that the at least one message appearing on the greeting card be directed to the pet. In the case of both products A and B, the message is directed to the dog who is intended as the recipient of the respective greeting card.

Claim 22 of the pending application requires that the substantially rigid panel include rawhide. The packaging for product A describes the product as "rawhide chewable holiday card for that favorite dog!" The packaging for product B lists among its ingredients "rawhide." Thus, it is apparent that both of these cards are made of rawhide with the printing done with edible ink.

Accordingly, both products A and B fully meet all of the recitations of claims 1, 2 and 22 as amended in the accompanying Preliminary Amendment.

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2. I have a good knowledge of the pertinent prior art and all such material art is provided to the examiner as being filed in a respective Information Disclosure Statement.

3. I believe all the claims in this application as on file resulting from the attached amendment are allowable.

4. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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JMR/gs

Dated: November 12, 1998

Nov-09-98 02:51P Lakew d Vet Hospital

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P.11

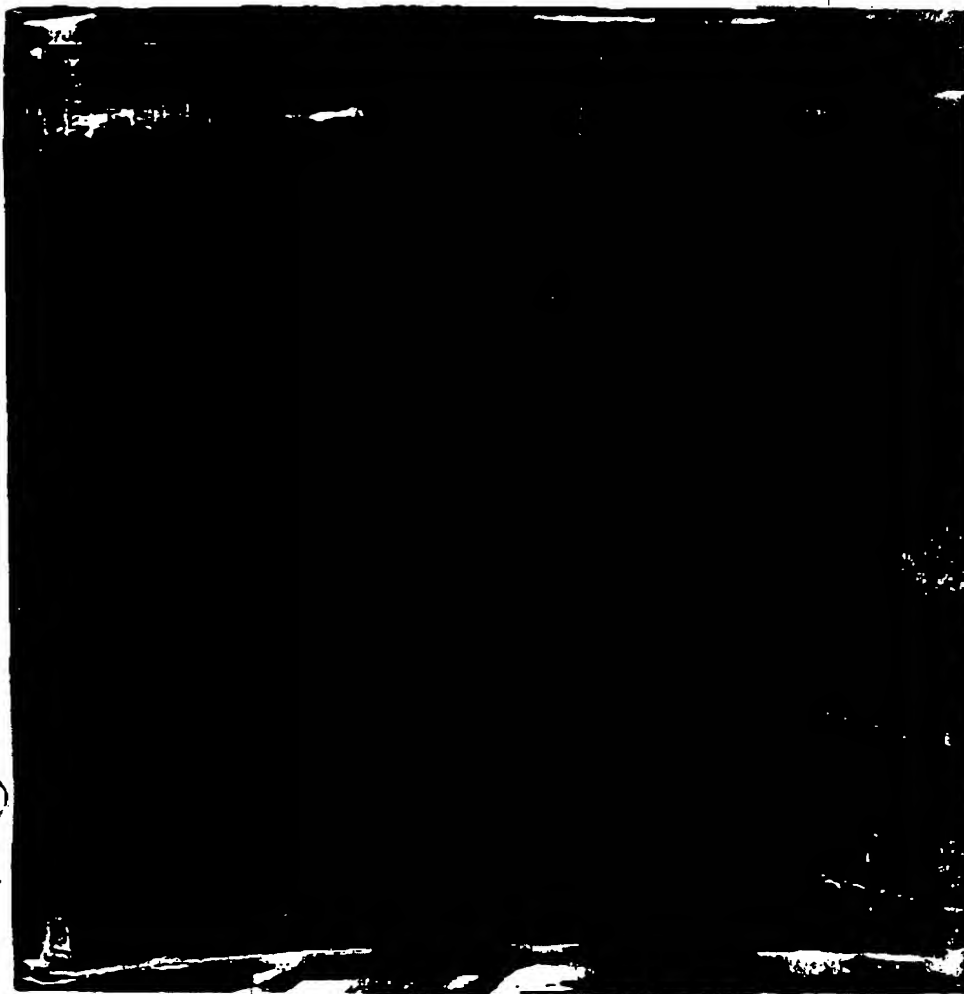
**INGREDIENTS:** Rawhide, safeingredients. Do not give this**WARNING:** Do not give this
to your dog on furniture or
carpeted areas.

0 83615 97001 2

Distributed by

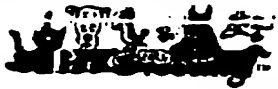
Pet Pops

Plymouth, MN 55441

MADE IN THAILAND

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Nov-09-98 02:51P Lakewood Vet Hospital

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100% Petaluma

GREETING CARD



YOU'RE G-R-R-R-E-A-T !!

EXHIBIT⁵⁴⁻⁰⁵ B

Nov-09-98 02:51P Lakewood Vet Hospital

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810 53-9320

Sergeant's

(Patent Pending)

Sergeant's is committed to providing high quality products. If you have questions or comments about this product, please write: Sergeant's Consumer Response, P.O. Box 36159, Richmond, VA. 23231-0959



0 73091 56011 1

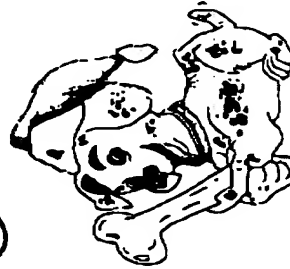
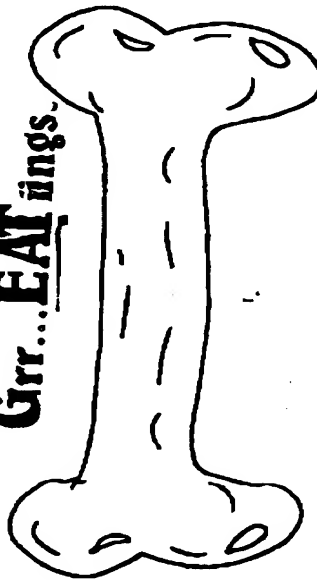
This holiday greeting card is made of genuine rawhide and is loved by dogs. Sergeant's natural rawhide provides beneficial chewing exercise to help clean teeth and strengthen gums.

CAUTION: For supervised consumption only. Remove and discard if your pet attempts to swallow large pieces or chunks.

Made in Canada
Distributed by:
Sergeant's Pet Products
Omaha, NE 68102

Sergeant's

Grrr...

EATings.

**Rawhide Chewable
Holiday Card**

CAUTION: For supervised consumption only. Remove and discard if your pet attempts to swallow large pieces or chunks.

SH-PS

Attorney Docket HOY-00102/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen B. Hoy

Serial No.: 08/817,278

Filed: April 10, 1997

For: EDIBLE ANIMAL GREETING CARDS

OFFICIAL**PRELIMINARY AMENDMENT**Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to the examination of this application, please amend the application as follows:

IN THE CLAIMS:

Please cancel claims 11, 12, 14-17, 20, 21, 23, 25 and 27.

Please amend the claims as follows:

- 1 1. (Amended) An edible greeting card suitable for ingestion by a pet
2 comprising:
3 a substantially rigid edible panel suitable for ingestion by a pet, the
4 substantially rigid edible panel having [a thickness, a perimeter,] a front surface and
5 a back surface;
6 at least one message region ~~disposed on one of~~ [being positioned on] the front
7 surface [and/or] ~~and the~~ back surface of the substantially rigid edible panel [and
8 within the perimeter of the substantially rigid edible panel]; and

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9 at least one [edible] message formed of a material suitable for ingestion by the
10 pet and disposed in the message region [, the edible message having a plurality of
11 characters, each character being sufficiently large so as to be perceived visually by
12 humans without assistance, the message region being configured so as to permit the
13 placement thereupon of the characters of the edible message];
14 whereby [means for positioning] the edible greeting card is positioned within
15 [substantially rigid edible panel in] the vicinity of the pet so that the pet may ingest
16 the substantially rigid edible panel and [edible] message[,
17 whereby at least one edible message is visible from the point of view of the
18 pet].

Claim 2, line 1, delete "edible" and insert --at least one--.

1 3. (Amended) The edible greeting card as claimed in claim 1, further
2 comprising [wherein the] means for positioning the substantially rigid edible panel
3 in the vicinity of the pet, said means comprising [comprises] a wire having two ends,
4 the wire enclosed in a portion of the substantially rigid edible panel, the ends of the
5 wire extending exteriorly of the substantially rigid edible panel so that the wire may
6 be attached to at least one substantially rigid projecting member in the vicinity of the
7 pet, said at least one [edible] message being visibly displayed thereupon.

1 4. (Amended) The edible greeting card as claimed in claim 1, further
2 comprising [wherein the] means for positioning the substantially rigid edible panel
3 in the vicinity of the pet, said means comprising [comprises] a supporting section

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4 positioned along the perimeter of the substantially rigid edible panel, the supporting
5 section being substantially thicker [having a thickness equal to or greater] than a [the]
6 thickness of the substantially rigid edible panel, the substantially rigid edible panel
7 being supportable upon at least one supporting section on a substantially horizontal
8 surface, said at least one [edible] message being visibly displayed thereupon.

1 13. (Amended) The edible greeting card as claimed in claim 1 further
2 comprising [11, the] means for creating an edible message relating to a pet in the
3 form of [comprising] a marker containing a quantity of edible ink sufficient to create
4 an edible message.

Claim 18, line 1, delete "An" and insert --The--;

delete "suitable for ingestion by a pet" and insert --of claim

1 further--;

line 2, delete ", each panel suitable for" and insert --;--;

delete lines 3-13;

line 15, delete ";" and insert ---; and

delete lines 16-21.

Claim 22, line 1, delete "18" and insert --1--.

Claim 24, line 1, delete "18" and insert --1--; and

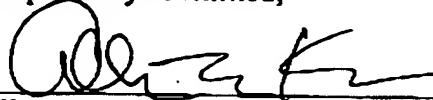
insert --said-- after "at".

Claim 26, line 1, delete "18" and insert --1--.

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If the Examiner has any questions relating to the application, Applicant's attorney may be reached at (248) 647-6000.

Respectfully submitted,



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(248) 647-6000

JMR/gs

Dated: November 12, 1998

The received stamp of the U.S. Patent and Trademark Office imprinted hereon acknowledges the filing of:

Petition to Make Special Because of Actual Infringe
ment; Preliminary Amendment; Declaration
of FTERS IN SUPPORT OF PETITION; Declaration
Of Alex A. Krass; \$130 Petition Filing Fee

Applicant:

Serial No.:

Attorney:

Date:

File:

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LAPD 11-F July 1997

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